

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE.

Appl. No.

10/817,213

Confirmation No.: 3864

Applicant

Nick Arini

Filed

April 2, 2004

TC/A.U.

2621

Examiner

To be assigned

Docket No.

PA0385

Customer No.

22840

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 October 27, 2004

PETITION UNDER 37 C.F.R. 1.47(A)

The undersigned states and declares as follows:

- I am a registered patent attorney authorized to practice before the United States
 Patent and Trademark Office (Reg. No. 32,529).
- 2. I am employed by Amersham Biosciences Corp as Vice President, Intellectual Property, North America. As part of my duties in that position, I am responsible for coordinating the United States filing of patent applications owned by Amersham Biosciences Corp, now known as GE Healthcare, and its sister corporations, which includes the captioned application owned by Amersham Biosciences Niagara, Inc.
- 3. The captioned application was filed on April 2, 2004. The referenced patent application claims the benefit of patent application number 0307684.1 filed in

- Great Britain on April 2, 2003 and patent application number 0327651.6 filed in Great Britain on November 28, 2003.
- 4. On May 24, 2004, a "Notice to File Missing Parts of Nonprovisional Application filed Under 37 C.F.R. 1.53(b)" was mailed in connection with the captioned application for lack of a signed oath or declaration. A copy is attached hereto as Exhibit 1.
- Each of the nine (9) inventors, namely Nick Arini, Alla Zaltsman, Ian Goodyer, Yuriy Alexandrov, Jurek Cybuch, Bohdan Soltys, Louis Dagenais, Liz Roquemore and Sam Murphy was employed by Amersham Biosciences Niagara, Inc. at the time the invention of the referenced application was made. A request was made of the Human Resources Department of Amersham Biosciences Niagara, Inc. to confirm the mailing address for each of the nine (9) inventors. A satisfactory reply had been received with regard to all but inventor Cybuch. Attached hereto as Exhibit 2 is a copy of an email exchange between Susan Wildman, Patent Formalities Officer of Amersham plc, and Anne Lancaster of the Human Resources Department of Amersham Biosciences Niagara, Inc., dated August 5, 2004 and August 9, 2004. Ms. Lancaster advised that numerous attempts to locate inventor Cybuch have been unsuccessful and provided the last known address listed in the records.
- 6. A combined Declaration and Power of Attorney having six (6) total pages, attached hereto as Exhibit 3, was prepared and mailed to the last known address of inventor Cybuch via First Class United States postal service and via Federal Express and hand delivered via Niagara Bailiff Services. A copy of the covering

- letter dated August 25, 2004, is attached hereto as Exhibit 4 showing that enclosed with the combined Declaration and Power of Attorney was an Assignment form and a complete copy of the application as filed with the United States Patent and Trademark Office on April 2, 2004.
- 7. The envelope mailed via First Class United States postal service on August 25, 2004, was not returned. The Federal Express envelope mailed August 25, 2004, was returned with the indication "RECIPIENT MOVED" followed by "no phone listing." A copy of the returned Federal Express envelope is attached hereto as Exhibit 5.
- 8. On September 10, 2004, an attempted service of the envelope at inventor Cybuch's last known address was made by Bailiff Jim Marlow of the City of Niagara Falls in the Regional Municipality of Niagara, Ontario, Canada. A copy of Bailiff Marlow's Affidavit of Attempted Service is attached hereto as Exhibit 6. The affidavit states that Bailiff Marlow was advised by the current owner of the property listed as inventor Cybuch's last known address that subsequent to inventor Cybuch's passing away, the owner, Ms. Kateryna Turczyn, sold the house and moved back to Europe. The purchase was final on July 31, 2004.
- 9. The remaining eight (8) inventors listed on the application, namely Nick Arini,
 Alla Zaltsman, Ian Goodyer, Yuriy Alexandrov, Bohdan Soltys, Louis Dagenais,
 Liz Roquemore and Sam Murphy, have duly signed and dated the combined
 Declaration and Power of Attorney as required. A copy of the signed documents
 is attached hereto as Exhibit 7.

- 10. The due date for filing the Declaration in connection with the captioned application, with a four months extension of time, is November 24, 2004. It is respectfully requested that the attached combined Declaration and Power of Attorney executed by inventors Nick Arini, Alla Zaltsman, Ian Goodyer, Yuriy Alexandrov, Bohdan Soltys, Louis Dagenais, Liz Roquemore and Sam Murphy be accepted under 37 C.F.R. 1.47(a) on behalf of themselves and the nonsigning inventor, Jurek Cybuch. Such action is necessary to prevent the application from becoming abandoned, to preserve the rights of the parties, and to prevent irreparable damage.
- 11. In the event that I am able to subsequently locate an heir and obtain the signature of that person, a supplemental Declaration executed by the inventors will be filed.
- 12. Please charge Applicant's Deposit Account Number 502-590 in the amount of \$130.00 to cover the fee for this petition. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Applicant's Deposit Account Number 502-590.
- 13. A "Response to the Notice to File Missing Parts of Application Filing Date
 Granted (PTO-1533)(Large Entity)" is being simultaneously submitted attaching
 the combined Declaration and Power of Attorney executed and dated by inventors
 Nick Arini, Alla Zaltsman, Ian Goodyer, Yuriy Alexandrov, Bohdan Soltys, Louis
 Dagenais, Liz Roquemore and Sam Murphy. An authorization to charge the
 surcharge of \$130.00 is included with the response. Additionally included with
 the response is an authorization to charge the fee for a four months extension of

time for responding of \$1,530.00 to Applicant's Deposit Account Number 502-590.

14. Please direct any outstanding issues directly to Applicant's representative at the contact number listed below.

Respectfully submitted,

AMERSHAM BIOSCIENCES CORP

Royal N. Ronning, Jr

Reg. No.: 32,529 // Attorney for Applicants

Amersham Biosciences Corp 800 Centennial Avenue P. O. Box 1327 Piscataway, New Jersey 08855-1327

Tel: (732) 457-8423 Fax: (732) 457-8463 I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on October 27, 2004.

Signature:

Name:

Melissa Leck



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1430 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/817,213

04/02/2004

Nick Arini

PA0385

Amersham Biosciences Corp Patent Department 800 Centennial Avenue Piscataway, NJ 08855 CONFIRMATION NO. 3864
FORMALITIES LETTER
OC000000012747698

Date Mailed: 05/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.

 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

\$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



Melissa Leck

To: Susan Wildman/UK/xynet@xynet

CC:

08/09/2004 08:14 AM

Subject: PA0385 - US forms

Hi Sue -

Thanks for the attached and for the rest of the signed forms. I got them on Friday. I'll take it from here and keep you copied on my actions and any developments. Thanks again for all of your help with this one!

Cheers: Melissa

Susan Wildman



Susan Wildman 08/09/2004 03:18 AM

To: Melissa Leck/US/xynet@xynet

CC

Subject: Re: Updated Address List

Hi Melissa

Please see below the only address known of J Cybuch, hope that it helps.

Susan Wildman
Patent Formalities Officer

GE Healthcare Bio-Sciences Amersham plc Amersham Place, Little Chalfont, Buckinghamshire HP7 9NA

Tel: +44 1494 542166 Fax: +44 1494 542996

www.gehealthcare.com

---- Forwarded by Susan Wildman/UK/xynet on 09/08/2004 08:22 -----

Anne Lancaster

To: Susan Wildman/UK/xynet@xynet cc: Brenda Hobbs/CA/xynet@xynet Subject: Re: Updated Address List

05/08/2004 18:15

Susan:

Sorry I should have replied sooner - we have tried through numerous ways to get a forwarding address for Jurek, unfortunately all I have is his old landlady's address here in St. Catharines:

Jurek Cybuch c/o Kateryna Turczyn 7 Wesfield Avenue St. Catharines, Ontario L2S 5Z5

Anne Lancaster Human Resources Department



Docket No.: PA0385

Application No.: 10/817,213
Filing Date: 2 April 2004
Group Art Unit: To be assigned

Examiner: To be assigned

Declaration Submitted After Initial Filing

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method of, and Computer Software for, Classification of Cells into Subpopulations

the spe	ecification of which
[] OR	is attached hereto.
[X]	was filed on 2 April 2004 as United States Application No. 10/817,213.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f) or Section 365 (b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign applications for patent or inventor's certificate or

PCT International application having a filing date before that of the application on which priority is claimed.

2 April 2003 0307684.1 Great Britain (Day/Month/Year Filed) (Number) (Country) Great Britain **28 November 2003** 0327651.6 (Number) (Country) (Day/Month/Year Filed) I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional patent application(s) listed below: (Application Serial No.) (Filing Date) I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application: (Application Serial No.) (Filing Date) As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith: 22840 Customer Number: Amersham Biosciences Corp Send correspondence to: 800 Centennial Avenue Piscataway, New Jersey 08855 Direct telephone calls to: (732) 457-8000 Direct facsimiles to: (732) 457-8463

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	Nick Arini
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	Great Britain
Full name of second inventor:	Alla Zaltsman
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	Great Britain

Full name of third inventor:	Ian Goodyer
Inventor's signature:	
Date:	
Post Office Address:	8 Harris Court, 111 Tideswell Road Eastbourne EN21 3RF Great Britain
Citizenship:	Great Britain
Full name of fourth inventor:	Yuriy Alexandrov
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of fifth inventor:	Jurek Cybuch
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	Ukraine

Full name of sixth inventor:	Bohdan Soltys
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of seventh inventor:	Louis Dagenais
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of eighth inventor:	<u>Liz Roquemore</u>
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	United States

Full name of ninth inventor:	Sam Murphy
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenshin:	Great Britain

GE Healthcard

August 25, 2004

Via Federal Express and Confirmed via post

Mr. Jurek Cybuch 7 Westfield Avenue St. Catharines, Ontario Canada L2S 5Z5

Re:

"Method of, and Computer Software for, Classification of Cells into Subpopulations"

United States Patent Application No.: 10/817,213

Filing Date: April 2, 2004 Inventors: N. Arini, et al.

Our ref: PA0385

Dear Mr. Cybuch:

I hope this letter finds you well. I am the paralegal for the patent department of GE Healthcare Bio-Sciences, formerly Amersham Biosciences Corp, in Piscataway, New Jersey. I am writing with regard to the referenced United States patent application, on which you are a named inventor. I enclose herewith a copy of the application as filed which includes the specification totaling forty-nine pages, the sequence listing totaling one page, the claims totaling five pages, the abstract totaling one page and twelve drawing sheets.

It is my responsibility to ensure that the formalities requirements of the United States Patent and Trademark Office are met with each application we file. Therefore, enclosed you will find a combined Declaration and Power of Attorney form totaling six pages and an Assignment form totaling five pages. These forms simply state that you are an inventor on the application, that you identify with the priority applications filed in Great Britain, that you are a citizen of the Ukraine and that the rights of Amersham Biosciences UK Limited to the application are secure. Upon your review, kindly sign and date the forms where your name is indicated. A prepaid return Federal Express envelope is enclosed for your convenience in returning the signed original documents to me at no charge to you. Please note that your signature on the Assignment form should be witnessed.



Please do not hesitate to contact me with any questions that you may have, and I thank you very much in advance for your time and anticipated cooperation in this matter.

Very truly yours,

Melissa A. Leck

Paralegal

T 732 980 2945

F 732 457 8463

E melissa.leck@ge.com

enc: United States Patent Application number 10/817,213 as filed: specification (49 pages), sequence listing (1 page), claims (5

pages), abstract (1 page) and drawing sheets (12 pages)

Assignment Form (5 pages)

Combined Declaration and Power of Attorney (6 pages)

prepaid return Federal Express envelope

cc: Susan Wildman, Formalities Assistant, Amersham plc, Amersham Place, Great Britain (via courier w/o enc.)

Ian Bryan, Patent Officer, Amersham plc, Amersham Place, Great Britain (via courier w/o enc.)

From: Origin ID: ZRPA (732) 980-2945

Melissa Leck

AMERSHAM BIOSCIENCES 800 CENTENNIAL AVENUE

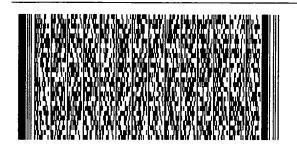
PISCATAWAY, NJ 08854 UNITED STATES

Jurek Cybuch

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St. Catharines, ON **L2S3A1 CANADA CA**



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9 Required Signature

PART 157620 Rev. Osto 2/02 C/1994-2002 Fe/Er PRINTED IN U.S.A.

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Melisse Leck Phone 733-980-3945 PTS 791918747898 Your Internal Reference

Amersham Brosciences Сотрапу

800 Centernial Aux

ZIP Postal Code 215Cate Called Province

Recipient's Tax I.D. number required for Customs purposes

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Total Packages Shipper's Load and CountSLAC

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Recipient's Signature Date Executed

r : C



AMERSHAM BIOSCIENCES NIAGARA INC.

and

JUREK CYBUCH

AFFIDAVIT OF ATTEMPTED SERVICE

I, Jim Marlow, Bailiff, of the City of Niagara Falls, in the Regional Municipality of Niagara, MAKE OATH AND SAY:

1. On September 10, 2004, at 10:30 a.m., I attempted to serve Jurek Cybuch with the attached envelope, which is attached to this my affidavit and marked as Exhibit "A". When I attended at 7 Westfield Avenue, St. Catharines I was advised by the current owner that she had purchased the house from Kateryna Turczyn on July 31, 2004. The new owner said that Jurek Cybuch had passed away and Ms. Turczyn had sold the house and moved back to Europe.

ature of deponent)

Sworn before me at the

City of Niagara Falls, in the

Regional Municipality of Niagara

in the Province of Ontario

this 17th day of September, 2004

Commissioner for Taking Affidavits

Donna Marie Wilkinson, a Commissioner, etc., Regional Municipality of Niagara, for 851907 Ontario Inc. o/a Niagara Balliff Services and for Process Serving and Tenant Protection Act, 1997 matters only. Expires August 3, 2007.

GE Healthcare

General Electric Company Amersham Biosciences Corp 800 Centennial Avenue Piscataway, NJ 08855-1327 U.S.A.

Jurek Cybuch 7 Westfield Avenue st. Catharines Las 525



Docket No.: PA0385

Application No.: 10/817,213
Filing Date: 2 April 2004
Group Art Unit: To be assigned

Group Art Unit: 10 be assigned

Declaration Submitted After Initial Filing

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method of, and Computer Software for, Classification of Cells into Subpopulations

the sp	ecification of which
[] OR	is attached hereto.
[X]	was filed on 2 April 2004 as United States Application No. 10/817,213.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f) or Section 365 (b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign applications for patent or inventor's certificate or

PCT International application having a filing date before that of the application on which priority is claimed.

0307684.1 Great Britain 2 April 2003 (Number) (Country) (Day/Month/Year Filed) 0327651.6 **Great Britain 28 November 2003** (Number) (Country) (Day/Month/Year Filed) I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional patent application(s) listed below: (Application Serial No.) (Filing Date) I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application: (Application Serial No.) (Filing Date) As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith: Customer Number: 22840 Send correspondence to: Amersham Biosciences Corp 800 Centennial Avenue Piscataway, New Jersey 08855 Direct telephone calls to: (732) 457-8000 Direct facsimiles to: (732) 457-8463

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	Nick Arini
Inventor's signature:	28C.
Date:	14 JULY 2004
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	Great Britain
Full name of second inventor:	Alla Zaltsman
Inventor's signature:	Mig-
Date:	20 July 2004
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	Great Britain

Full name of third inventor:	<u>Ian Goodyer</u>
Inventor's signature:	
Date:	
Post Office Address:	8 Harris Court, 111 Tideswell Road Eastbourne EN21 3RF Great Britain
Citizenship:	Great Britain
Full name of fourth inventor:	Yuriy Alexandrov
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of fifth inventor:	Jurek Cybuch
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Ukraine</u>

Full name of sixth inventor:	Bohdan Soltys
Inventor's signature:	·
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of seventh inventor:	Louis Dagenais
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of eighth inventor:	Liz Roquemore
Inventor's signature:	(SVLT)
Date:	28/07/04
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	<u>United States</u>

Full name of ninth inventor: Sam Murphy

SAU Murphy
19 July 2004 Inventor's signature:

Date:

Post Office Address: The Maynard Centre

> Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain

Citizenship: **Great Britain**



Docket No.: PA0385

Application No.: 10/817,213 Filing Date: 2 April 2004

Group Art Unit: To be assigned

Examiner: To be assigned

Declaration Submitted After Initial Filing

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method of, and Computer Software for, Classification of Cells into Subpopulations

the spe	ecification of which
[] OR	is attached hereto.
	was filed on 2 April 2004 as United States Application No. 10/817,213

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f) or Section 365 (b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign applications for patent or inventor's certificate or

PCT International application having a filing date before that of the application on which priority is claimed.

0307684.1 Great Britain 2 April 2003 (Number) (Country) (Day/Month/Year Filed) 0327651.6 **Great Britain 28 November 2003** (Number) (Country) (Day/Month/Year Filed) I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional patent application(s) listed below: (Application Serial No.) (Filing Date) I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application: (Application Serial No.) (Filing Date) As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith: **Customer Number:** 22840 Send correspondence to: Amersham Biosciences Corp 800 Centennial Avenue Piscataway, New Jersey 08855 Direct telephone calls to: (732) 457-8000 Direct facsimiles to: (732) 457-8463

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	Nick Arini
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	Great Britain
Full name of second inventor:	Alla Zaltsman
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	Great Britain

Full name of third inventor:	<u>Ian Goodyer</u>
Inventor's signature:	
Date:	21 July 04
Post Office Address:	8 Harris Court, 111 Tideswell Road Eastbourne EN21 3RF Great Britain
Citizenship:	Great Britain
Full name of fourth inventor:	Yuriy Alexandrov
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of fifth inventor:	Jurek Cybuch
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Ukraine</u>

Full name of sixth inventor:	Bohdan Soltys
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of seventh inventor:	Louis Dagenais
Inventor's signature:	
Date:	
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of eighth inventor:	Liz Roquemore
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	United States

Full name of ninth inventor:	Sam Murphy
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	Great Britain



Docket No.: PA0385

Application No.: 10/817,213
Filing Date: 2 April 2004
Group Art Unit: To be assigned
Examiner: To be assigned

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0307684.1 Great Britain 2 April 2003 (Number) (Country) (Day/Month/Year Filed) **0327651.6 Great Britain 28 November 2003** (Number) (Country) (Day/Month/Year Filed) I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional patent application(s) listed below: (Application Serial No.) (Filing Date) I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application: (Application Serial No.) (Filing Date) As a named inventor, I hereby appoint the following attorneys or agents to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith: Customer Number: 22840 Send correspondence to: Amersham Biosciences Corp 800 Centennial Avenue Piscataway, New Jersey 08855 Direct telephone calls to: (732) 457-8000 Direct facsimiles to: (732) 457-8463

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor:	Nick Arini
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	Great Britain
Full name of second inventor:	Alla Zaltsman
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain

Full name of third inventor:

Ian Goodyer

Inventor's signature:	
Date:	
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Citizenship:	Great Britain
Full name of fourth inventor:	Yuriy Alexandrov
Inventor's signature:	Last were
Date:	July 22, 2004
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Citizenship:	<u>Canada</u>
Full name of fifth inventor:	Jurek Cybuch
Inventor's signature:	
Date:	
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Citizenship:	<u>Ukraine</u>
Full name of sixth inventor:	Bohdan Soltys

Inventor's signature:	Bholan Solty
Date:	July 22, 2004
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of seventh inventor:	<u>Louis Dagenais</u>
Inventor's signature:	LD
Date:	July 22, 2004
Post Office Address:	500 Glenridge Avenue, St. Catharines Ontario, Canada L2S 3A1
Citizenship:	<u>Canada</u>
Full name of eighth inventor:	Liz Roquemore
Inventor's signature:	
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	United States
Full name of ninth inventor:	Sam Murphy

inventor's signature:	·
Date:	
Post Office Address:	The Maynard Centre Forest Farm Estate, Whitchurch Cardiff CF14 7YT Great Britain
Citizenship:	Great Britain

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